

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Daisuke KUMAKI et al. )  
Serial No.: 10/573,929 )  
Filed: March 30, 2006 )  
For: Light-Emitting Element And Light-Emitting )  
Device )  
Examiner: Phat X. Cao )  
Art Unit: 2814 )  
Confirmation No.: 5395 )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF VERIFIED ENGLISH TRANSLATION**  
**OF PRIORITY DOCUMENT**

Dear Sir:

In furtherance of Amendment C (After Final) filed herewith, with a RCE, Applicants are submitting herewith a verified English translation of the priority document Japanese patent application serial number 2004-285777 filed on September 30, 2004 in Japan.

In the Final Rejection, the Examiner rejects Claims 16 -17 under 35 U.S.C. §103(a) as being unpatentable over Liao et al. in view of Matsumoto et al. (US 2005/0098207). This rejection is respectfully traversed.

As Applicants explained in Amendment C, Matsumoto is not prior art to the present application.

More specifically, Matsumoto issued on May 12, 2005 based on a U.S. filing date of November 8, 2004.

The present application is a national stage of a PCT application under 35 USC §371 filed on March 30, 2006 which claims priority to PCT/JP2005/018243 filed on September 27, 2005 which claims priority of Japanese patent application serial number 2004-285777 filed September 30, 2004 in Japan. Applicants are submitting herewith a verified English translation of Japanese patent application serial number 2004-285777. Therefore, Applicants are entitled to claim the benefit of the September 30, 2004 filing date of this priority application which is prior to the November 8, 2004 US filing date of Matsumoto.

Hence, as the foreign priority filing date of the present application is prior to the U.S. filing date of Matsumoto, Matsumoto is not prior art to the present application.

Accordingly, it is respectfully requested that this rejection be withdrawn.

### Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

Please charge our deposit account 50/1039 for any fee due for this submission.

Favorable reconsideration is earnestly solicited.

Date: April 6, 2009

Respectfully submitted,

/Mark J. Murphy/  
Mark J. Murphy  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Daisuke KUMAKI et al.

Application No.: 10/573,929

Filed: March 30, 2006

Examiner: Cao, P. X.

Group Art Unit: 2814

For: LIGHT-EMITTING ELEMENT AND LIGHT-EMITTING DEVICE

VERIFICATION OF TRANSLATION

Commissioner for Patents

P.O.Box 1450

Alexandria, VA 22313-1450

Sir:

I, Ryoji Nomura, C/O Semiconductor Energy Laboratory Co., Ltd. 398, Hase, Atsugi-shi, Kanagawa-ken 243-0036 Japan, a translator, herewith declare:

that I am well acquainted with both the Japanese and English Languages;

that I am the translator of the attached English translation of the Japanese Patent Application No. 2004-285777 filed on September 30, 2004; and

that to the best of my knowledge and belief the following is a true and correct English translation of the Japanese Patent Application No. 2004-285777 filed on September 30, 2004.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: April 3, 2009



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Name: Dr. Ryoji Nomura